

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DAVID HOLMES,

Plaintiff,

v.

PAMELA OJEDA, *et al.*,

Defendants.

Case No. 2:24-cv-01468-RFB-EJY

ORDER

This action commenced when Plaintiff, proceeding *pro se*, submitted an application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint on August 9, 2024. ECF Nos. 1, 1-1. On September 24, 2024, the Court entered a Report and Recommendation recommending this action be dismissed without prejudice, but in its entirety, because Plaintiff failed to timely respond to Court orders to amend his complaint and update his address. ECF No. 7. On September 30, 2024, the Court received a document from Plaintiff in which he provides a new address, explains he did not receive legal mail while incarcerated at Clark County Detention Center, and asks for an extension of time to file an amended complaint. ECF No. 8. Based on the information provided, Plaintiff’s request for an extension of time is granted and the Court’s prior Report and Recommendation (ECF No. 7) is vacated. Plaintiff is reminded that he **must** comply with Local Rule IA 10-1 requiring all filings to include the caption of this case, which appears above.

Accordingly, IT IS HEREBY RECOMMENDED that Plaintiff’s filing, docketed as a Motion to Extend Time at ECF No. 8, is GRANTED.

IT IS FURTHER ORDERED that the Court’s Report and Recommendation (ECF No. 7) is VACATED.

IT IS FURTHER ORDERED that the Clerk of Court **must** update Plaintiff’s address on the docket to 520 S. Casino Center Blvd., Apt. 347, Las Vegas, NV 89101.

IT IS FURTHER ORDERED that the Clerk of Court **must** send Plaintiff a copy of this Order, his original Complaint (ECF No. 1-1), and a copy of the Court’s Screening Order (ECF No. 3).

1 IT IS FURTHER ORDERED that Plaintiff will have through and including **October 31,**
2 **2024** to file an amended complaint.

3 IT IS FURTHER ORDERED that failure to timely comply with this Order will result in a
4 renewed Report and Recommendation to dismiss this action in its entirety.

5 Dated this 1st day of October, 2024.

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8 ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE